

# Holland & Knight

31 West 52nd Street | New York, NY 10019 | T 212.513.3200 | F 212.385.9010  
Holland & Knight LLP | [www.hklaw.com](http://www.hklaw.com)

HOWARD SOKOL  
[howard.sokol@hklaw.com](mailto:howard.sokol@hklaw.com)  
(212) 513-3347

February 18, 2016

**VIA ECF**

The Honorable James L. Cott  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom, 21D  
New York, NY 10007

Re: *Benavides v. Serenity Spa NY Inc. and Yu Qun Dai*  
Case No. 15-cv-9189 (JLC)

Dear Judge Cott:

We represent the Defendants in the above-referenced case, earlier today assigned to Your Honor (for the Court's convenience and reference, annexed hereto as "Attachment A" is a true and correct copy (Dkt. #17) of the Reference Order signed by Judge Sullivan). We write, jointly and with the consent of counsel to the Plaintiff (together, the "Parties") to inform the Court that the Parties have agreed to a class mediation for April 20, 2016, with independent third-party mediator Ruth Raisfeld.

Defendants have agreed to pay the full cost of the mediation with, however, the understanding and agreement between the Parties that in the event that the Parties reach a settlement through the mediation, Plaintiff agrees to reimburse Defendants for 50% of the full cost of the mediation.

Given the foregoing, the Parties jointly and respectfully request that the litigation in this case be stayed, with the Parties committing to report back to the Court as to the status and results of the mediation by May 4, 2016.

We thank you Your Honor for the Court's time and courtesies on this matter.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: /s/ Howard Sokol  
Howard Sokol

cc: Attorneys for Plaintiff (VIA ECF)

# **ATTACHMENT A**

AO 88 (Rev. 01/09) Notice, Consent, and Reference of a Civil Action to a Magistrate Judge

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of New York**

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <b>2-18-16</b>

Gloria Benavides		
<i>Plaintiff</i>		
v.		Civil Action No. 15-CV-9189
Serenity Spa NY Inc., et al.		
<i>Defendant</i>		

**NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE**

*Notice of a magistrate judge's availability:* A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

*Consent to a magistrate judge's authority:* The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

*Parties' printed names*

Howard Sokol, Esq. (for Defendants)

C.K. Lee, Esq. (for Plaintiff)

*Signatures of parties or attorneys*
*Dates*

2/17/16

2/17/16

**Reference Order**

**IT IS ORDERED:** This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date:

2/18/16

*R. Reller*  
District Judge's signature

*R. Sullivan*  
Printed name and title

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.